

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JANE DOE 2, *et al.*,

Plaintiffs,

V.

PATRICK SHANAHAN, in his official capacity
as Secretary of the Department of Defense, *et*
al.,

Defendants.

Civil Action No. 17-cv-1597 (CKK)

NOTICE

In light of the district court's decision yesterday to stay the preliminary injunction in *Stone v. Trump*, No 1:17-cv-02459-GLR (D. Md. Mar. 7, 2019) (ECF No. 249), there is no longer any impediment to the military's implementation of the Mattis policy. Defendants therefore respectfully provide notice to the Court that the Acting Secretary of Defense plans to release a Directive-Type Memorandum (DTM) formally implementing the new policy in the near future. That DTM will not take effect until 30 days after its release.

Because the time for Plaintiffs to seek rehearing has not yet run, the D.C. Circuit has not issued the mandate in *Doe 2 v. Shanahan*, No. 18-5257, 2019 WL 102309 (D.C. Cir. Jan. 4, 2019) (per curiam). Nevertheless, the D.C. Circuit’s judgment vacating this Court’s preliminary injunction took effect when entered. In confirmation of this fact, the D.C. Circuit denied Defendant’s stay motion “as moot,” *id.* at *1, a ruling that necessarily presumes that this Court’s injunction does not remain in effect.

March 8, 2019

Respectfully submitted,

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